

IN THE HIGH COURT OF PUNJAB AND HARYANA AT CHANDIGARH

CWP-12929-2016 (O&M)

Date of Decision: August 19, 2016

Amarjit Kaur

...Petitioner

Versus

State of Punjab and others

...Respondents

**CORAM: HON'BLE MR. JUSTICE RAMESHWAR SINGH MALIK**

Present: Mr. D.V. Sharma, Senior Advocate, with  
Ms. Shivani Sharma, Advocate,  
for the petitioner.

Ms. Monika Chhiber Sharma, DAG, Punjab,  
for respondent Nos. 1 to 4.

Mr. Vivek Chauhan, Advocate,  
for respondent No. 5.

Mr. Vivek K. Thakur, Advocate,  
for respondent Nos. 7 to 9.

**RAMESHWAR SINGH MALIK, J. (Oral)**

CM-9879-CWP-2016:

The applicant-petitioner seeks to place on record the replication  
to the written statement of respondent Nos. 1 to 4.

The application is allowed as prayed for. Replication is taken  
on record.

CWP-12929-2016:

Present writ petition is directed against the order dated 6.6.2016  
(Annexure P-10) whereby because of the in-fighting of members of the  
Panchayat and the Sarpanch, an Administrator was appointed to look after  
the day-to-day affairs of the Gram Panchayat.

Notice of motion was issued and pursuant thereto reply on

behalf of respondent Nos. 1 to 5 has been filed. The petitioner filed her replication also.

During course of hearing, learned counsel for the State has brought to the notice of this Court judgment dated 30.9.2015, passed by this Court in the case of **Binder Kaur v. State of Punjab and others, 2016 (1) R.C.R. (Civil) 634**, to contend that since the petitioner has got equally efficacious remedy of revision under Section 201 of the Punjab Panchayati Raj Act, 1994 (for short, 'the 1994 Act'), she may be relegated to her alternative remedy.

Faced with the above, learned Senior counsel for the petitioner submits that the petitioner shall approach the revisional authority within a period of one week from today by moving an appropriate revision petition alongwith an application for stay, but till the stay application moved by the petitioner is considered and decided by the revisional authority, the ad-interim stay granted by this Court, vide order dated 1.7.2016, may be ordered to continue.

After hearing learned counsel for the parties at some length, the present writ petition is disposed of relegating the petitioner to her equally efficacious remedy of revision under Section 201 of the 1994 Act, at the first instance. If the petitioner files her revision petition against the impugned order alongwith stay application, the revisional authority shall consider and decide the case at an early date, but in any case within a period of one month from the date of receipt of revision petition. The revisional authority shall be at liberty to take up the stay matter first and decide the same by passing an appropriate order thereon, strictly in accordance with law. However, it is

made clear that till the stay matter is considered and decided by the revisional authority, the ad-interim stay granted by this Court, vide order dated 1.7.2016, shall continue to operate.

With the above observations and direction issued, the present writ petition stands disposed of.

**(RAMESHWAR SINGH MALIK)**  
**JUDGE**

**August 19, 2016**  
P Kapoor

Whether Speaking/Reasoned: ✓YES / NO

Whether Reportable: YES / NO✓